

displays and interacts with a plurality of HTML **forms** and corresponding common gateway interface binary programs that are provided selectively for creating and deleting instances of servers, associating a configuration file with a server instance, changing server instance start-up parameters, and starting, ending, and restarting server instances (Col. 2, lines 51-59). The forms are designed and implemented so that an Internet connection server can be configured. A configuration file for an Internet connection server is built by selecting and entering values upon these forms (Col. 4, lines 3-7). For example, a plurality of instances of Internet connection servers (ICSs) exist at a site and need to be managed. A **form** is presented by the administration server listing this plurality of other servers and the user selects the instance (that is, the other server) he needs to administer (start, stop, change, add, delete). **Upon selecting a server and an action, a page is presented or displayed at the browser of the administration server which will allow further configuration, the content of that page depending upon the action selected** (Col. 4, lines 14-22).

In summary, Ludovici et al. is directed to a system that includes a plurality of forms for entering configuration values. Ludovici et al. does not teach or even remotely suggest configuring a server based upon configuration settings developed as a result of receiving a request for a resource located at the server computer.

The Claims

As noted above, the Office Action rejected Claims 1-11 under 35 U.S.C. § 102(e) as being fully anticipated by Ludovici et al. As also noted above, applicants respectfully disagree with this rejection.

Claims 1, 10, and 11, the first set of claims referred to in the Office Action, read as follows:

1. A method for dynamically configuring a server computer, comprising:
 - receiving a **request for a resource** located at said server computer;
 - in response to **said request**, identifying one or more configuration settings **based upon said request**;
 - evaluating a configuration rule using said configuration settings** to determine whether said configuration rule is satisfied;
 - in response to determining that said configuration rule is satisfied, **adding one or more configuration settings associated with said configuration rule** to said configuration settings to create new configuration settings; and
 - configuring said server computer based upon said new configuration settings.** (Emphasis added.)

10. A computer-readable medium having computer executable instructions for performing the method of Claim 1.

11. A computer-controlled apparatus, comprising:

a central processing unit;
a memory;
a network interface;
a storage device; and

a global configuration file stored on said storage device comprising one or more configuration rules and one or more configuration settings associated with each configuration rule; and wherein

said central processing unit is operative to execute instructions stored in said memory which cause said computer-controlled apparatus to:

(i) receive a request for a resource accessible to said computer-controlled apparatus on said network interface;

(ii) in response to said request, identify one or more configuration settings based upon said request;

(iii) evaluating one of said configuration rules to determine whether said configuration rule is satisfied;

(iv) in response to determining that said configuration rule is satisfied, adding said configuration settings associated with said configuration rule to a configuration settings file stored in said memory or on said storage device; and

(v) responding to said request for a resource using said configuration settings. (Emphasis added.)

Remarks accompanying the rejection of Claims 1, 10, and 11 read as follows:

Referring to claims 1, 10, and 11, Ludovici reference disclose receiving a request for a resource located at said server computer (Figure 4, administration internet connection server *ADMIN; col. 5, lines 59 through col. 6, lines 5); in response to said request, identifying one or more configuration settings based upon said request, evaluating a configuration rule using said configuration settings to determine whether said request, evaluating a configuration rule using said configuration settings to determine whether said configuration rule is satisfied (Figure 5; col. 8, lines 19-36); in response to determining that said configuration rule is satisfied, adding one or more configuration settings associated with said configuration rule to said configuration settings to create new configuration settings, and configuring said server computer based upon said new configuration settings (Figures 12, and 13; col. 35, lines 18 through col. 36, lines 39; col. 41, lines 47 through col. 42, lines 10).

Applicants respectfully disagree. The foregoing remarks are clearly incorrect. Ludovici et al. clearly does not disclose "receiving a request for a resource located at said server computer." While Ludovici et al. does purportedly disclose an administration Internet connection server, Ludovici et al. discloses nothing whatsoever with regard to receiving a request **for a resource** located at the server computer. Nor does Ludovici et al. disclose "in response to said request (for a resource located at the server computer) identifying one or more configuration settings based upon said request (for a resource located at said server computer), evaluating a configuration rule using said configuration setting to determine whether said configuration rule is satisfied." While Ludovici et al. purportedly discloses "rules," here the similarity ends. Ludovici et al. clearly does not disclose evaluating a configuration rule using configuration settings to determine whether a configuration rule is satisfied. In this regard, Col. 8, lines 19-36, of Ludovici et al. read as follows:

In operation, referring to FIG. 5, after a start command 320 is received, in step 322 * ADMIN instance file 318 is read and appropriate parameters are passed to the main thread of the program. In step 324, the main thread then reads the configuration files 314, 316, builds a rules list from them, and then connects to the HTTP (and perhaps HTTPS) ports. In steps 326 and 328, the main thread of server 310 listens (waits) on the HTTP port, and the SSL listener thread listens (waits) on the HTTPS port for work to arrive (that is, requests from browser 304), and then passes these requests to a non-busy worker thread 330 from a managed pool of worker threads. Worker thread 330 is so named since it does all the work, reading, parsing and comparing the request against the rules list, and then acting on the rules that are encountered. When processing by worker thread 330 is complete, it returns information of some kind to browser 304, which may be the resource 312 requested, output of a CGI application 306, or an error message.

As noted above, the foregoing portion of Ludovici et al. clearly does not disclose, in response to a received request (for a resource located at a server computer), identifying one or more configuration settings based upon the request, evaluating a configuration rule using the configuration settings to determine whether the configuration rule is satisfied. Nor does Ludovici et al. disclose, in response to determining that a configuration rule is satisfied, adding one or more configuration settings associated with the configuration rule to the configuration settings to create a new configuration setting, in configuring a server computer based upon the new configuration settings. This subject matter is not disclosed in FIGURES 12 and 13; Col. 35, lines 18, through Col. 36, lines 39; or Col. 41, lines 42, through Col. 42, lines 10, or any other place in Ludovici et al., as far as applicants have been able to determine. As a result, applicants

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{mc}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

respectfully submit that Claims 1, 10, and 11 are clearly not anticipated by Ludovici et al. and, thus, are clearly allowable.

Applicants further submit that the remaining claims of this application, all of which are dependent upon Claims 1 or 11, directly or indirectly, are also allowable. Many of these claims include recitations that clearly are not taught or suggested by Ludovici et al., even when considered in the abstract. More importantly, when the claims are considered in combination, the overall combination is clearly not taught or suggested by Ludovici et al. For example, Claims 2 and 12, which depend from Claims 1 and 11, respectively, read as follows:

2. The method of Claim 1, further comprising:
determining whether an additional configuration rule remains to be tested;
and

in response to determining that an additional configuration rule remains to be tested,

(i) evaluating said additional configuration rule with said configuration settings to determine if said additional configuration rule is satisfied,

(ii) in response to determining that said additional configuration rule is satisfied, adding one or more configuration settings associated with said additional configuration rule to said configuration settings to create new configuration settings, and

(iii) configuring said server computer based upon said new configuration settings.

12. The computer-controlled apparatus of Claim 11, wherein said central processing unit is further operative to execute instructions stored in said memory which cause said computer-controlled apparatus to:

determine whether one of said configuration rules is untriggered; and
in response to determining that one of said configuration rules has not been triggered,

(i) evaluating said untriggered configuration rule to determine if said untriggered configuration rule is satisfied,

(ii) in response to determining that said untriggered configuration rule is satisfied, adding said configuration settings associated with said untriggered configuration rule to said configuration settings file stored in said memory or on said storage device to create a new configuration settings file; and

(iii) responding to said request for a resource using said new configuration settings.

Applicants submit that the subject matter of Claims 2 and 12 is clearly not taught at the location cited in paragraph 4 of the Office Action. This is particularly true when the subject

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

matter of Claims 2 and 12 is considered in combination with the subject matter of Claims 1 and 11, the claims from which these claims depend. Thus, applicants submit that Claims 2 and 12 and all of the other dependent claims in this application are allowable for reasons in addition to the reasons why Claims 1 and 11 are allowable, particularly when considered in combination with the claims from which these claims depend.

In summary, applicants respectfully submit that all of the claims in this application are clearly not taught or suggested by Ludovici et al. and, thus, are allowable. Consequently, early and favorable action passing this application to issue is respectfully solicited.

If the Examiner has any questions, he is invited to contact applicants' attorney at the number set forth below.

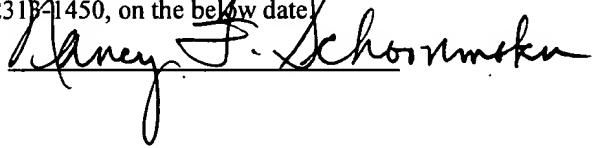
Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Gary S. Kindness
Registration No. 22,178
Direct Dial No. 206.695.1702

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 6/4/04



GSK:jam/nfs

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100